

MOTION TO RELEASE SUPERSEDEAS BOND

2. Family Dollar has since satisfied the judgment in this case by paying a portion of the judgment, plus interest, directly to Counsel for Plaintiffs and by depositing with this Court the portion of the judgment

belonging to those Plaintiffs who have filed bankruptcy claims. Family Dollar has also reached an agreement with the Plaintiffs on their attorney fees. As proof of a resolution of these matters, Family Dollar directs the Court to the Notice of Resolution of Attorney Fees and Costs and Satisfaction of Judgment Plaintiffs filed on December 8, 2008. *See* Doc. #758.

3. Now that Family Dollar has satisfied the judgment and has resolved all remaining issues with the Plaintiffs, the supersedeas bond is no longer necessary.

Family Dollar therefore moves the Court to release the supersedeas bond and direct the Clerk of Court to return the original bond to Family Dollar c/o T. Matthew Miller, Bradley Arant Boult Cummings, One Federal Place, 1819 Fifth Avenue North, Birmingham, Alabama 35203. Once Family Dollar receives the original bond, it will be returned to the surety, Safeco Insurance Company of America.

Respectfully submitted,

/s/ Abdul Kallon

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record:

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